

DETAILED ACTION

1. Non-elected claims 12-23 are rejoined and amended as detailed below.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark Reichel on 9/9/2009.

The application has been amended as follows:

- 2.1 In Claim 3, line 2, **delete** "conducting" and **replace** with --conductive--.
- 2.2 In Claim 12, line 2, **before** "ester-cured" **add** --conductive material-doped--.
- 2.3 In Claim 13, lines 1-2, **after** "resin" **delete** "is as defined in claim 2" and **replace** with --to conductive material weight ratio is from 0.001 to 100:1.--
- 2.4 **Cancel** Claims 15,17 and 19.
- 2.5 In Claim 16, line 2, **before** "ester-cured" **add** --conductive material-doped--.

2.6 In Claim 18, line 7, **before** "ester-cured" **add** --conductive material-doped--.

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The closest prior art known to the Examiner is listed on the attached PTO 892 and 1449 forms. Lemon et al. (US Patent 5051454) teaches an electrode made out of a composition comprising a ester cured phenolic resin. However, the prior art structure is chemically different to the claimed composition in that the prior art composition is subject to a high temperature curing step which effectively carbonizes the resin to carbon. None of the prior art teaches an ester cured phenolic resole (thus producing an alkaline salt by-product) further doped with a conductive material with the device structure required by the independent claims (i.e. electrode, electrolyte, electrical device, separator plate).

Conclusion

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaison P. Thomas whose telephone number is (571) 272-8917. The examiner can normally be reached on Mon-Fri 9:30 am to 6:00 pm.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy P. Gulakowski can be reached on (571) 272-1302. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. P. T./
Examiner, Art Unit 1796

/Mark Kopec/
Primary Examiner, Art Unit 1796